

Application ref: 2024/2495/P
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UPP Architects + Town Planners
Atrium
The Stables Market
Chalk Farm Road
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NW1 8AH

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Variation or Removal of Condition(s) Granted

Address:
5 Montpelier Grove
London
NW5 2XD

Proposal: Variation of condition 2 (approved plans) in relation to planning permission ref 2022/3612/P dated 08/11/2022 for erection of new front dormer and replacement of rear dormer by an enlarged one with associated rear balcony and balustrades.

Drawing Nos: Cover Letter; 05cMO-A-01-001; 05cMO-A-01-002; 05cMO-A-03-001; 05cMO-A-03-002; 05cMO-A-03-003; 05cMO-A-03-004; 05cMO-A-03-005; 05cMO-A-05-001; 05cMO-A-05-002; 05cMO-A-06-001; 05cMO-A-06-002; 05cMO-A-06-003; 05cMO-A-06-004; 05cMO-A-01-001 Rev1; 05cMO-A-01-002 Rev1; 05cMO-A-03-001 Rev1; 05cMO-A-03-002 Rev1; 05cMO-A-03-003 Rev1; 05cMO-A-03-004 Rev1; 05cMO-A-03-005 Rev1; 05cMO-A-05-001 Rev1; 05cMO-A-05-002 Rev1; 05cMO-A-06-001 Rev1; 05cMO-A-06-002 Rev1; 05cMO-A-06-003 Rev1; 05cMO-A-06-004 Rev1.

The Council has considered your application and decided to grant permission subject to the following condition(s):

Condition(s) and Reason(s):

- 1 All new external work shall be carried out in materials that resemble, as closely as possible, in colour and texture those of the existing building, unless otherwise specified in the approved application.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy D1 of the London Borough of Camden Local Plan 2017.

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans- Cover Letter; 05cMO-A-01-001; 05cMO-A-01-002; 05cMO-A-03-001; 05cMO-A-03-002; 05cMO-A-03-003; 05cMO-A-03-004; 05cMO-A-03-005; 05cMO-A-05-001; 05cMO-A-05-002; 05cMO-A-06-001; 05cMO-A-06-002; 05cMO-A-06-003; 05cMO-A-06-004; 05cMO-A-01-001 Rev1; 05cMO-A-01-002 Rev1; 05cMO-A-03-001 Rev1; 05cMO-A-03-002 Rev1; 05cMO-A-03-003 Rev1; 05cMO-A-03-004 Rev1; 05cMO-A-03-005 Rev1; 05cMO-A-05-001 Rev1; 05cMO-A-05-002 Rev1; 05cMO-A-06-001 Rev1; 05cMO-A-06-002 Rev1; 05cMO-A-06-003 Rev1; 05cMO-A-06-004 Rev1.

Reason: For the avoidance of doubt and in the interest of proper planning.

- 3 The development hereby permitted must be begun no later than the end of three years from the date of the original planning permission ref. 2022/3612/P dated 08/11/2022.

Reason: To comply with the provisions of Sections 73 and 91 of the Town and Country Planning Act 1990 (as amended).

Informative(s):

- 1 Reasons for granting permission.

Planning permission 2022/3612/P was granted on 18 November 2022 for the erection of new front dormer and replacement of rear dormer by an enlarged one with associated rear balcony and balustrades, which has since been constructed. The current application seeks to vary condition 2 (approved plans) to set the rear dormer back from the eaves and to remove the 1.80m trellis used for screening.

The rear dormer has been constructed greater in size to what had been approved under 2022/3612/P, which after receiving a complaint was discovered by an enforcement to have been constructed larger than shown on the plans, with the internal roof height being 0.30m above what was granted and extending further towards the eaves than the adjacent neighbours balconies, in which it was supposed to be in line with.

The overall size and bulk of the dormer has been reduced, with a height reduction of 0.20m and a width reduction of 0.10m, and the balcony itself would be shortened by 0.2m giving it less overlooking. Overall the impact of the dormer would be much less significant and in line with the neighbouring properties.

The alterations to the dormer will reduce any harm to daylight/sunlight or outlook. A 1.80m trellis on the balcony was originally proposed by the applicant to help mitigate objectors issues with overlooking, which was removed after discussion by the Council due to the visual harm of the trellis and the perceived

bulk it would create not outweighing the minimal levels of overlooking caused by a balcony at this level, noting that rear balconies are a common feature of this area. It is therefore considered that the proposed changes would not cause harm to the amenity of the neighbouring dwellings and residents.

The front dormer has not been increased in size compared to the previously granted plans, but it has been moved closer to the eaves to be in line with the front dormer of the adjoining neighbour at no. 6 Montpelier Grove. This change is not considered to cause harm and is an acceptable change in line with Policy D1.

Two objections have been received prior to making this decision. Issues were raised regarding the applicant not following the planning process correctly, which is not a material consideration and has been corrected with the application and its further amended plan. The main planning issue raised was that the larger dormer that has been built impacts the amenity afforded to both adjoining neighbours, by way of loss of light and overlooking. The set back and reduced size would reduce the loss of light and would be in line with the rest of the terraces in the area, and the degree of overlooking would be relatively limited and consistent with the established development in the area. It is therefore considered the proposal would not cause harm to amenity. The planning history of the site has been taken into account when coming to this decision.

As such, the proposed development is in general accordance with policies A1 and D1 of the Camden Local Plan 2017 and policy D3 of the Kentish Town Neighbourhood Plan 2016. The proposed development also accords with the London Plan 2021 and the National Planning Policy Framework 2023.

- 2 This approval does not authorise the use of the public highway. Any requirement to use the public highway, such as for hoardings, temporary road closures and suspension of parking bays, will be subject to approval of relevant licence from the Council's Streetworks Authorisations & Compliance Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No 020 7974 4444). Licences and authorisations need to be sought in advance of proposed works. Where development is subject to a Construction Management Plan (through a requirement in a S106 agreement), no licence or authorisation will be granted until the Construction Management Plan is approved by the Council.
- 3 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts that cover aspects including fire and emergency escape, access and facilities for people with disabilities and sound insulation between dwellings. You are advised to consult the Council's Building Control Service, Camden Town Hall, Judd St, Kings Cross, London NW1 2QS (tel: 020-7974 6941).
- 4 All works should be conducted in accordance with the Camden Minimum Requirements - a copy is available on the Council's website (search for 'Camden Minimum Requirements' at www.camden.gov.uk) or contact the Council's Noise and Licensing Enforcement Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No. 020 7974 4444)

Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You must secure the approval of the Council's Noise and Licensing Enforcement Team prior to undertaking such activities outside these hours.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with the National Planning Policy Framework. The council publishes its adopted policies online, along with detailed Camden Planning Guidance. It also provides advice on the website for submitting applications and offers a pre-application advice service.

You can find advice about your rights of appeal at:

<https://www.gov.uk/appeal-planning-decision>.

If you submit an appeal against this decision you are now eligible to use the new [submission form](#) (Before you start - Appeal a planning decision - GOV.UK).

Yours faithfully

A handwritten signature in black ink, appearing to read 'DPope', is written over a light blue rectangular background.

Daniel Pope
Chief Planning Officer